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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,225	06/15/2001	Wolfgang Fraas	112740-212	6091

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EXAMINER	
CHOU, ALBERT T	

ART UNIT	PAPER NUMBER
2662	

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/868,225	FRAAS ET AL.	
	Examiner	Art Unit	
	Albert T. Chou	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 April 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *12-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *12-16,19 and 20* is/are rejected.

7)☒ Claim(s) *17,18,21 and 22* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 April 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The following is a response to the amendment filed on April 8, 2005.

- Claim 12-22 are pending in the application.
- Claims 12-16, 19 and 20 remain rejected under U.S.C. 103(a) as being unpatentable over Duault et al. (US Patent No: 6,108,336) in view of Duault et al. (US Patent No. 5,930,265). See ***Claim Rejections - 35 USC § 103*** section below for the detail.
- Claims 17, 18, 21 and 22 remain objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitation o the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 12-16, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duault et al. (US Patent No: 6,108,336), hereinafter referred to as Duault PRI, in view of Duault et al. (US Patent No. 5,930,265), hereinafter referred to as Duault SEC.

Regarding claim 12, Duault PRI discloses a method for data transmission between **ATM Endpoint Terminals** and **PBX** [Fig. 13; *between two communications devices*] via an ATM network [Fig. 13; col. 14, lines 9-11; *via a packet-oriented communications network*]. The method comprises the steps of

delivering the PBX switching voice [Figure 13; *a time-slot-oriented data format*] based on the 64-kbit/channel traffic [Fig. 10; col. 5, lines 25-29; *formed from a period sequence of channel-specific information segments*] between **PBX** to **PBX** or **PBX** to **ATM Endpoint Terminals** [Fig. 13; *between the two communications devices*];

using ATM layer 2 protocol to form the data packet for the physical layer transmission [Fig. 2; *providing a data packet for the data transmission*]. The data packet includes the AAL payload [Fig. 2; *the data packet includes a user data area*] such as **SAR-PDU** [Figure 10];

decomposing the **SAR-PDU** further into the **SAR-PDU Payload** [Figure 10; *subdividing the user data area into at least one first subpacket of a first length*] and the **AAL5 Trailer** [Fig. 10; col. 5, lines 25-28; *a second subpacket of a second length*]; and

adapting the data /voice through the AAL function into **CPCS-PDU / SAR-PDU Payload** [Figs. 6 & 10; col. 3, lines 14-26; *transmitting data in a respective one of the at least first subpacket*].

Duault PRI does not expressly teach "*data of the same channel-specific information segment being transmitted in a respective one of the at least first packet*". Duault SEC teaches a method of efficiently transporting fixed or variable length multimedia data packets over ATM networks by concatenating multimedia data, from

one or more channels, and appending the concatenated with a subheader or trailer, which trailer concatenates User Channel Identifications (CIDs) and User Data Length(s) (UDLs) values of the respective concatenated data packets, whereby a global payload is defined, for being transported over the network [Duault SEC, Figs. 1, 4 & 5; col. 3, lines 61-67; *transmitting data of the same channel-specific information segment in a respective one of the at least first subpacke*]. Duault SEC teaches the combinations associated to blocking and multiplexing functions also can achieve the same aforementioned objective [Duault SEC, Figs. 11, 12 & 13; col. 10, lines 40-64]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Duault SEC invention into Duault PRI to efficiently transporting multimedia packets over an ATM network since both inventions are from the same field of endeavor by the same team of inventors.

Regarding claim 13, Duault PRI discloses that the **ATM Endpoint Terminals** [Fig. 13; *the communications terminal devices*] are connected to the ATM switches [Col. 14, lines 9-14; *devices being connected via at least one transfer unit*] in the private or the public ATM network [Col. 14, lines 9-14; *the packet-oriented communications network*].

Regarding claim 14, Duault PRI teaches that the user data AAL-SDU is received at the **AAL-SAP** [Figs. 2 & 5; *channel-specific information segment*] and the **CPCS-PDU Payload** is built based on the received **AAL-SDU** [Figs. 2 & 5; *allocating at least one first subpacket to the respective channel information segment*]. Duault PRI also

teaches that padding can be used in **CPCS-PDU Payload** [Fig. 6; *the transmission of each of the at least one first packet being suppressible*].

Regarding claim 15, Duault PRI teaches that the **SAR-PDU** comprises the 40-byte payload and the 8-byte **AAL5 Trailer** [Figs. 6 & 10; col. 5, line 25-29; *transmitting dummy data in the second subpacket*]. The 40-byte SAR-PDU [*the length of last least one first subpacket*] and the 8-byte AAL5 Trailer [*selecting the length of the second subpacket*] form a total 48-byte user data area [*a total length of the transmitted at least one first subpacket and the second subpacket corresponds to a length of the user data area of the data packet*].

Regarding claim 16, Duault PRI teaches that the **SAR-PDU** comprises the 40-byte payload and the 8-byte **AAL5 Trailer** [Figs. 6 & 10; col. 5, line 25-29; *the second subpacket is at least 8 bytes long*].

Regarding claim 19, Duault PRI discloses a method for data transmission between **ATM Endpoint Terminals** and **PBX** [Fig. 13; between two communications devices] via an ATM network [Fig. 13; *via a packet-oriented communications network based on an Asynchronous Transfer Mode format*].

Regarding claim 20, Duault PRI discloses a method for data transmission between **ATM Endpoint Terminals** and **PBX** [Fig. 13; between two communications devices] via an ATM network using AAL5 [Fig. 13; *via a packet-oriented communications network based on an Asynchronous Transfer Mode adaptation layer AAL5 agreement*].

Response to Arguments

4. Applicant's arguments filed on April 8, 2005 have been fully considered but they are not persuasive. The combination of Duault PRI and Duault SEC (see above section ***Claim Rejections - 35 USC § 103***) teaches "*the step of transmitting data of the same channel-specific information segment in a respective one of the at least one first subpacket*" as recited in claim 12.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert T. Chou whose telephone number is 571-272-6045. The examiner can normally be reached on 8:30 - 17:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC
Albert T. Chou
May 24, 2005

HASSAN KIZOU
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